

Remarks

The Office Action mailed July 31, 2003 has been carefully reviewed and the following remarks are made in consequence thereof.

Claims 1, 3-17, 21, and 22 are now pending in this application. Claims 1, 3-17, 21, and 22 stand rejected.

The rejection of Claims 1 and 3-17 under 35 U.S.C. § 103(a) as being unpatentable over European Patent Application EP 1 281 345 A1 by Gobbi in view of Japanese Patent No. 54-42833 is respectfully traversed.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. The present application was filed on August 31, 2001. The Gobbi Patent Application was published on February 2, 2003. The Gobbi Patent Application therefore, is not available as prior art with respect to the present application. Accordingly, Applicants respectfully request that the 103(a) rejection of Claims 1 and 3-17 be withdrawn.

The rejection of Claims 21 and 22 under 35 U.S.C. § 102(a) as being anticipated by Japanese Patent No. 54-42833 is respectfully traversed.

Japanese Patent No. 54-42833, as best understood, describes flexible packings (1) that include throating grooves (8) on the outer circumference of the packings (1). The packing is attached to the circumference of a box (2) or door (3) to provide an airtight seal around the box opening.

Claim 21 recites a seal for a door panel, the seal including "a head portion and a flap portion extending from said head portion, said head portion defining a boot-shaped opening having a heel portion, a toe portion angularly displaced from said heel portion, and a curved arch portion extending between said heel portion and said toe portion, said opening configured to receive a correspondingly shaped formation on the door panel for retention thereon".

Japanese Patent No. 54-42833 neither describes nor suggests a door panel seal including a head portion and a flap portion extending from the head portion, wherein the head portion defines a boot-shaped opening having a heel portion, a toe portion angularly displaced from the heel portion, and a curved arch portion extending between the heel portion and the toe portion, and wherein the opening is configured to receive a correspondingly shaped formation on the door panel for retention of the seal thereon. Specifically, the Japanese Patent No. 54-42833 does not describe or suggest a boot-shaped opening having a heel portion, a toe portion angularly displaced from the heel portion, and a curved arch portion extending between the heel portion and the toe portion. Rather, as the Examiner concedes, the Japanese patent, at best, describes an L-shaped opening. Further, Applicants respectfully disagree with the assertion on the presently pending Office Action that the Japanese patent discloses an arched portion between perpendicular components of the L-shaped portion. Applicants respectfully submit that nothing having an arched shape is shown in Figure 6 of the Japanese patent. For the foregoing reasons, it is respectfully submitted that Claim 21 is patentable over Japanese Patent No. 54-42833.

Claim 22 depends from independent Claim 21. When the recitations of Claims 22 are considered in combination with the recitations of Claim 21, Applicants submit that dependent Claim 22 is likewise are patentable over Japanese Patent No. 54-42833.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 21 and 22 be withdrawn.

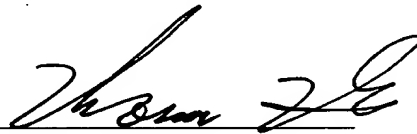
Claim 1 recites a door panel assembly for a dishwasher including “a panel comprising a formation depending therefrom, said formation comprising a boot-shaped portion defining a heel portion, a toe portion substantially perpendicular to said heel portion, and a curved arch portion extending between said heel portion and said toe portion; and a seal member comprising a head portion and an opening therein complementary in shape to said formation, said formation received in said opening, said heel portion and said toe portion cooperating to retain said seal member”.

With respect to newly added Claim 21, Applicants respectfully submit that none of the cited art describes a seal having a head portion and a flap portion extending from the head portion, the head portion defining a boot-shaped opening having a heel portion, a toe portion angularly displaced from the heel portion, and a curved arch portion extending between the heel portion and the toe portion, the opening configured to receive a correspondingly shaped formation on the door panel for retention thereon. Therefore, Applicants submit that Claim 21 is patentable over the cited art.

Newly added Claim 22 depends from independent Claim 21. When the recitations of this claim is considered in combination with the recitations of Claim 21, Applicants submit that Claim 22 likewise is patentable over the cited art.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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